

PTO/SB/08a/b (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Application Number	10/738,130-Conf. #8143	
			Filing Date	December 16, 2003	
			First Named Inventor	David G. Anderson	
			Art Unit	3738	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	101896-0209

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number-Kind Code <sup>2</sup> (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,530,929	03-11-2003	Jeff Justis	
		US-6,530,926	03-11-2003	Thomas Davison	
		US-6,520,907	02-18-2003	Kevin T. Foley	
		US-6,235,028	12-12-2000	David Brumfield	
		US-5,954,635	09-21-1999	Kevin T. Foley	
		US-5,728,097	03-17-1998	Hallett H. Mathews	
		US-2004/0143265	07-22-2004	Michael Landry	
		US-2004/0138662	07-15-2004	Michael Landry	
		US-2004/0039384	02-26-2004	Frank Boehm	
		US-2003/0208203	11-06-2003	Roy Lim	
		US-2003/0199885	10-23-2003	Thomas Davison	
		US-2003/0195551	10-16-2003	Thomas Davison	
		US-2003/0195550	10-16-2003	Thomas Davison	
		US-2003/0195549	10-16-2003	Thomas Davison	
		US-2003/0083689	05-01-2003	Robert Simonson	
		US-2003/0083688	05-01-2003	Robert Simonson	
		US-2002/0198526	12-26-2002	Samuel Shaolian	
		US-2002/0123668	09-05-2002	Stephen Rittland	
		US-2002/0082600	06-27-2002	Samuel Shaolian	
		US-2002/0068975	06-06-2002	George Teitelbaum	
		US-2002/0049368	04-25-2002	Stephen Rittland	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
		DE-29810798	05-21-2004	SCHAFER micomed GmbH		
		DE-10027988	01-10-2002	KOSMALA, Arkadiusz		✓
		FR-2796545	07-22-1999	BACCELLI Christian		✓
		FR-2729291	01-12-1995	GENNARI Jean Marie		✓
		EP-1190678	03-27-2002	BONO, Frank Scott		
		WO-2004/044604	05-21-2004	LANDRY, Michael E.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those patent(s) or publication(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.361(e)) because that application was filed after June 30, 2003. \* Applicant's unique citation designation number (optional). \* See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \* Enter Office that issued the document, by the two-letter code (WIPO Standard ST-3). \* For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under: WIPO Standard ST-16 if possible. \* Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>	
		"The Dilation Retractor System" product literature (4 pages) Bright Medical Instruments DePuy AcroMed Product Brochure "microTLIF, A Mini-Open and Intermuscular Transforaminal Lumbar Interbody Fusion" Aperture Spinal System, (22 pages) October, 2002 FOLEY, Kevin T., "CD Horizon SEXTANT Rod Insertion System Surgical Technique" Medtronic Sofamor Danek Product Brochure (32 pages) July, 2002		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* Applicant's unique citation designation number (optional). \* Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/James I. Swiger/	Date Considered	09/12/2009
--------------------	-------------------	-----------------	------------

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JLS/